

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1152*
Second Edition Engrossed 6/3/14

Short Title: Eliminate Obsolete Boards and Commissions. (Public)

Sponsors: Representatives Moffitt, Murry, Millis, and Jackson (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Regulatory Reform.

May 21, 2014

1 A BILL TO BE ENTITLED
2 AN ACT TO ELIMINATE OBSOLETE BOARDS AND COMMISSIONS, AS
3 RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE
4 OVERSIGHT COMMITTEE.

5 The General Assembly of North Carolina enacts:

6
7 **PART I. REPEAL THE SMALL BUSINESS CONTRACTOR ACT AND THE SMALL**
8 **BUSINESS CONTRACTOR AUTHORITY**

9 SECTION 1. Part 20 of Article 10 of Chapter 143B of the General Statutes is
10 repealed.

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12 **PART II. REPEAL DROPOUT PREVENTION GRANTS AND THE COMMITTEE ON**
13 **DROPOUT PREVENTION.**

14 SECTION 2. Article 6B of Chapter 115C of the General Statutes is repealed.

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16 **PART III. ELIMINATE THE STATE EDUCATION COMMISSION ESTABLISHED**
17 **IN CHAPTER 116C OF THE GENERAL STATUTES**

18 SECTION 3.(a) G.S. 116C-1 reads as rewritten:

19 "§ 116C-1. Education Cabinet created.

20 (a) The Education Cabinet is created. The Education Cabinet shall be located
21 administratively within, and shall exercise its powers within existing resources of, the Office of
22 the Governor. However, the Education Cabinet shall exercise its statutory powers
23 independently of the Office of the Governor.

24 (b) The Education Cabinet shall consist of the Governor, who shall serve as chair, the
25 President of The University of North Carolina, the State Superintendent of Public Instruction,
26 the Chairman of the State Board of Education, the President of the North Carolina Community
27 Colleges System, the Secretary of Health and Human Services, and the President of the North
28 Carolina Independent Colleges and Universities. The Education Cabinet may invite other
29 representatives of education to participate in its deliberations as adjunct members.

30 (c) The Education Cabinet shall be a nonvoting body that:

31 (1) Works to resolve issues between existing providers of education.

32 ~~(2) Sets the agenda for the State Education Commission.~~

33 (3) Develops a strategic design for a continuum of education programs, in
34 accordance with G.S. 116C-3.

35 (4) Studies other issues referred to it by the Governor or the General Assembly.



1 (d) The Office of the Governor, in coordination with the staffs of The University of
2 North Carolina, the North Carolina Community College System, and the Department of Public
3 Instruction, shall provide staff to the Education Cabinet."

4 **SECTION 3.(b)** G.S. 116C-2 is repealed.
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6 **PART IV. ELIMINATE THE STATE EDUCATION COMMISSION ESTABLISHED IN**
7 **ARTICLE 26 OF CHAPTER 143 OF THE GENERAL STATUTES**

8 **SECTION 4.** Article 26 of Chapter 143 of the General Statutes is repealed.
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10 **PART V. PROVIDE THAT THE NATIONAL HERITAGE AREA DESIGNATION**
11 **COMMISSION SHALL TERMINATE JULY 1, 2014**

12 **SECTION 5.** Section 18.10 of S.L. 2001-491 reads as rewritten:

13 "SECTION 18.10. Notwithstanding G.S. 158-8.1, the Western North Carolina Regional
14 Economic Development Commission shall develop a regional heritage tourism plan and shall
15 present the plan to the 2002 Regular Session of the 2001 General Assembly no later than May
16 1, 2002. The National Heritage Area Designation Commission created pursuant to Section 18.4
17 of this act shall terminate July 1, 2014."
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19 **PART VI. REPEAL THE GOVERNOR'S MANAGEMENT COUNCIL**

20 **SECTION 6.** Part 24 of Article 9 of Chapter 143B is repealed.
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22 **PART VII. REPEAL THE BOARD OF DIRECTORS OF THE NORTH CAROLINA**
23 **CENTER FOR NURSING**

24 **SECTION 7.** G.S. 90-171.71 is repealed.
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26 **PART VIII. REPEAL THE BOARD OF CORRECTIONS**

27 **SECTION 8.(a)** G.S. 143B-711 reads as rewritten:

28 "**§ 143B-711. Division of Adult Correction of the Department of Public Safety –**
29 **organization.**

30 The Division of Adult Correction of the Department of Public Safety shall be organized
31 initially to include the Post-Release Supervision and Parole Commission, ~~the Board of~~
32 ~~Correction,~~the Section of Prisons of the Division of Adult Correction, the Section of
33 Community Corrections, the Section of Alcoholism and Chemical Dependency Treatment
34 Programs, and such other divisions as may be established under the provisions of the Executive
35 Organization Act of 1973."

36 **SECTION 8.(b)** G.S. 143B-715 is repealed.
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38 **PART IX. ENCOURAGE THE CHIEF JUSTICE TO ABOLISH THE ACTUAL**
39 **INNOCENCE COMMISSION**

40 **SECTION 9.** The Chief Justice's Actual Innocence Commission was established by
41 Order of the North Carolina Supreme Court in Conference. Its primary purpose was to make
42 recommendations that would reduce or eliminate the possibility of the wrongful conviction of
43 an innocent person. In 2006, the General Assembly enacted S.L. 2006-184 that established the
44 North Carolina Innocence Inquiry Commission, as recommended by the Chief Justice's Actual
45 Innocence Commission. Inasmuch as it appears that the work of the Chief Justice's Actual
46 Innocence Commission is complete, the Chief Justice and the North Carolina Supreme Court
47 are encouraged to take appropriate action to formally abolish the Commission.
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49 **PART X. EFFECTIVE DATE**

50 **SECTION 10.** This act is effective when it becomes law.